

Notice of Allowability

Application No.

09/351,747

Applicant(s)

SKILLEN ET AL.

Examiner

Art Unit

David Y. Jung

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/6/2005.
2. ☒ The allowed claim(s) is/are 1-6,9,11-19,75-79,107,108.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Claims

Claims 7, 8, 10, 29-74, 80-106 and 109-113 were withdrawn from consideration.

Claims 7, 8, 10, 29-74, 80-106 and 109-113 are cancelled.

Thus, all claims except those presented by Applicant in his latest filing have been cancelled. Thus, claims 7-8, 10, 20-74, 80-106, 109-113 have been cancelled. Thus, all claims except claims 1-6, 9, 11-19, 75-79, 107, and 108 have been cancelled.

Allowable Subject Matter

All pending claims are allowed. Claims 1-6, 9, 11-19, 75-79, 107, and 108 are allowed. The following is an examiner's statement of reasons for allowance: As noted in the file (such as at Reply Brief), the claimed inventions are meant to be within the situation of selling advertisements by the keyword which is entirely different from selling of keywords wherein search results ordered based upon a sold keyword. In the context of the other limitations of the claims, this difference is significant. This is explained in more detail at pages 4-12 of Reply Brief. See, in particular, page 8, in which the differences are explained in more particularity. To reiterate, the claimed invention does not order search results. The words such as "correlate", as used in the claims, do not imply any ordering of search results in the process of presenting advertisements. The claims do not cover the situation of ordering search results. The words such as "correlate", as used in the claims, refer to direct matching but not refer to ordered

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matching. There is no ordering during the matching (as claimed with words such as "correlate") in the claimed invention. In contrast, many search sites (such as Google as of the time of this Office Action) order the search results and order the advertisements. In the context of the other limitations of the claims, the prior art did not teach or suggest the particular features of the claims.

Conclusion

Points of Contact

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

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Or:

(571) 273-3836 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Kambiz Zand whose telephone number is (272) 272-3811.

David Jung

Patent Examiner

2/17/07

A handwritten signature in black ink, consisting of a series of loops and a trailing line, positioned to the right of the printed name 'David Jung'.